

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GORDON O'HARRA,

Defendant.

MEMORANDUM DECISION AND
ORDER GRANTING DEFENDANT'S
PRO SE MOTION FOR EARLY
TERMINATION OF SUPERVISED
RELEASE

Case No. 2:04-CR-231 TS

This matter is before the Court for consideration of Defendant Gordon O'Harra's *Pro Se* Motion for Early Termination of Supervised Release. For the reasons discussed below, the Court will grant the Motion.

I. BACKGROUND

On February 8, 2007, Defendant was sentenced to a term of 30 months imprisonment, to be followed by 48 months of supervised release. Defendant began his term of supervised release on February 28, 2009. Defendant now moves to terminate that supervision.

In his Motion, Defendant represents that while on supervision he has been compliant with all terms of his supervised release. Defendant indicates that he has met all of his obligations and has incurred no new criminal charges. Defendant represents that his health is deteriorating and the requirement that he maintain employment has contributed to his health issues and interferes with his ability to obtain Social Security/Disability benefits. Defendant further represents that he would like the ability to travel to see his mother and grandchildren.

The government indicates that it does not object to the early termination of Defendant's supervised release. The government further represents that Defendant's supervising officer does not oppose Defendant's Motion and states that Defendant is on the lowest level of supervision.

II. DISCUSSION

18 U.S.C. § 3583(e) permits the Court to terminate supervised release at any time after a defendant has completed at least one year of supervised release, but prior to completion of the entire term, if the Court is satisfied that such action is (1) warranted by the conduct of an offender and (2) is in the interest of justice. In making this determination, the Court is directed to consider the factors set forth in 18 U.S.C. § 3553(a), to the extent they are applicable.

Having considered these factors, the Court finds that early termination of Defendant's term of supervised release is both warranted by the conduct of the offender and in the interest of justice.

III. CONCLUSION

It is therefore

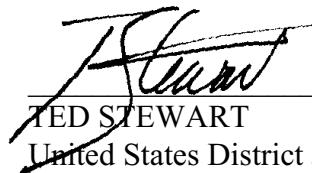
ORDERED that Defendant's *Pro Se* Motion for Early Termination of Supervised Release (Docket No. 78) is GRANTED. It is further

ORDERED that Defendant's term of supervised release shall be terminated effective immediately and this case shall be closed.

SO ORDERED.

DATED July 12, 2011.

BY THE COURT:



TED STEWART
United States District Judge